REMARKS

In the Office Action dated April 14, 2010, the Examiner stated the present application contains three groups of respectively patentably distinct inventions, and the Examiner further stated these inventions are not so linked as to form a single general inventive concept under PCT Rule 13.1. The Examiner identified the groups as being Group I (claims 11-22, directed to a switching circuit for generating electromagnetic waves), Group II (claim 23, directed to an electromagnetic source with a membrane, and Group III (claim 24, directed to a lithotripter with an electromagnetic source, and acoustic lens and a cushion for placement against a subject to be treated).

In substantiating the restriction requirement, the Examiner repeated the fact that these respective groups of claims are directed to the content described above, and further stated that the "generic inventive concept" included in Groups I, II and III is exemplified as generic in Eizenhoefer (DE 19814331-A1) as described in the Abstract thereof, and the Examiner stated that this feature is therefore not novel.

This restriction requirement is respectfully traversed for the following reasons. Applicants submit that the inventions in Groups I, II and III do have a generic inventive concept and further submit that this generic concept is not disclosed or suggested in the Eizenhoefer reference, and therefore it is a novel generic concept.

The object of the inventions in each of Groups I, II and III is to modify or vary the curve of the discharge current that is supplied to the shockwave generator of a lithotripter, so as to correspondingly vary properties of the shockwave. The solution to this object in each of the inventions of Groups I, IV, is to make use of the circuit shown in Figure 4 of the present application, that includes at least two capacitors

and a diode, wherein the diode is in a blocking (non-conducting) state until both capacitors exhibit the same voltage upon discharge. The capacitors are charged with different voltages.

By contrast, the completely different object of the circuit disclosed in the Eizenhoefer reference is to replace complicated and expensive switches for the generation of short, high power current pulses with a less complicated and less expensive arrangement. The solution to this different object disclosed in the Eizenhoefer reference is to use a saturatable inductor 9 for pulse compression or activation current limitation.

Needless to say, such an inductor does not even exist in the circuit disclosed and claimed in the present application, and therefore, since the use of such an inductor is essential to the intended operation of the circuit disclosed in the Eizenhoefer reference, the Eizenhoefer reference cannot possibly anticipate the generic inventive concept of Groups I, II and III.

In the claims of Groups I, II and III, the second capacitor is charged by a charging apparatus, but this does not take place in the Eizenhoefer reference.

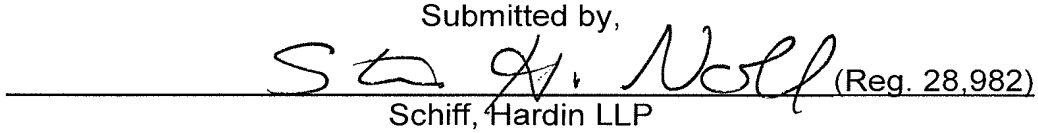
Moreover, the diode in the subject matter of Groups I, II and III is an independent component in the circuit, but the Eizenhoefer reference discloses a diode only as a component of the semiconductor switch, together with a thyristor.

Applicants therefore respectfully submits that the respective inventions of Groups I, II and III do have a novel generic concept and substantially the same search must therefore be conducted for each of those Groups.

Withdrawal of the restriction requirement is therefore respectfully requested.

Applicant acknowledges that when a restriction requirement is traversed, it is still necessary to make an election, in the event that the restriction requirement is maintained. Accordingly, Applicant herewith elects the invention of Group I (claims 11-22) for immediate examination if the restriction requirement is maintained.

Submitted by,



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